

**CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8**

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Date: April 16, 2009

Name: Katie B. Goedertier

Signature: /Katie B. Goedertier/ Reg. No. 63,409

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Scott e. Boatman et al.

Appln. No.: 10/813,415

Filed: March 30, 2004

For: Medical Device Including Unitary, Continuous portion of Varying Durometer

Attorney Docket No: 8627-453 (PA-5250-RFB/DIV)

Examiner: Suzanne E. McDowell

Art Unit: 1791

Confirmation No.: 5634

MS Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

This application claims priority under 35 USC §120 to the following United States patent applications: 09/663,747, filed 09/15/2000 now U.S. Patent 6,592,550, 09/848,742 filed 05/03/2001 now U.S. Patent 6,881,209. In accordance with 37 C.F.R §1.98(d), the Examiner is directed to the references cited in all Information Disclosure Statements filed in the priority United States patent applications cited above in addition to the references cited herein.

In accordance with the duty of disclosure under 37 CFR §1.56 and §§1.97-1.98, and more particularly in accordance with 37 CFR §1.97(c), Applicants hereby cite the following reference(s):

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Applicants are enclosing Form PTO-1449 (five sheets), along with a copy of each listed reference for which a copy is required under 37 CFR §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37

C.F.R §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 CFR §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 CFR §1.56(a).

Applicants have calculated a processing fee in the amount of \$180.00 to be due under 37 CFR §1.17(p) in connection with the filing of this Information Disclosure Statement. The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 23-1925 to cover the fees listed above or credit any overpayment to Deposit Account No. 23-1925.

Respectfully submitted,

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April 16, 2009

Date

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/Katie B. Goedertier/Katie B. Goedertier  
(Reg. No. 63,409)